

DT02 Rec'd PCT/PTO 03 FEB 2005

U. S. PATENT AND TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCE

ATTORNEY'S DOCKET NUMBER

21007YP

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/523286**

INTERNATIONAL APPLICATION NO.  
PCT/US2003/024393

INTERNATIONAL FILING DATE  
05 August 2003

PRIORITY DATE CLAIMED  
09 August 2002

TITLE OF INVENTION

TYROSINE KINASE INHIBITORS

APPLICANT(S) FOR DO/EO/US

Jeffrey M. Bergman, Douglas C. Beshore, Christopher J. Dinsmore, Craig W. Lindsley


**Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:**

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (PCT Article 31).
5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
  - a. ☐ is attached hereto
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

**Items 11 to 20 below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

**EXPRESS MAIL SERVICE**  
DATE OF DEPOSIT: Feb. 3, 2005  
EXPRESS MAIL NO. EV 74132204115  
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING DEPOSITED WITH THE UNITED STATES PATENT  
SERVICE AS EXPRESS MAIL, POST OFFICE NO. 100, NEW  
ARK, N.J. 07102-1000, ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO  
COMMISSIONER FOR PATENTS, P.O. BOX 4017,  
ALEXANDRIA, VIRGINIA 22304-4017  
FILED BY: *Hebert & Crowley*

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/523286</b>		INTERNATIONAL APPLICATION NO. PCT/US2003/024393		ATTORNEY'S DOCKET NUMBER 21007YP	
21. The following fees are submitted:				DT05 REC'D PCT/PTO 03 FEB 2005	
<input checked="" type="checkbox"/> a) Basic national fee..... \$300.00				\$300.00	
<input checked="" type="checkbox"/> b) Examination fee..... \$200.00				\$200.00	
<input checked="" type="checkbox"/> c) Search fee ..... \$500.00				\$500.00	
<b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>				\$1000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
- 100 =	0 /50	0 = 0		X	\$250.00
				\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].					
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims		21 - 20 =	1	X	\$50.00
Independent Claims		3 - 3 =	0	X	\$200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+	\$360.00
<b>TOTAL OF ABOVE CALCULATIONS (SUBTOTAL) =</b>				\$1,050.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	
<b>TOTAL NATIONAL FEE =</b>				\$1,050.00	
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.				+	
<b>TOTAL FEES ENCLOSED =</b>				\$1,050.00	
				Amount to be refunded:	
				Amount to be charged:	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-2755</u> in the amount of <u>\$1,050.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. <u>13-2755</u> . A duplicate copy of this sheet is enclosed.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the International Application to pending status.</b>					
SEND ALL CORRESPONDENCE TO:					
Customer No. 000210					
MERCK & CO., INC. Patent Department, RY60-30 P.O. Box 2000 126 East Lincoln Avenue Rahway, New Jersey 07065-0970					
DATE: <u>February 3, 2005</u>					
PHONE #: <u>(732) 594-3903</u>					
					
				SIGNATURE	
				David A. Muthard	
				NAME	
				35,297	
				REGISTRATION NUMBER	